Or Cimes Call Bispalet

DAILY-WEEKLY-SUNDAT

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WEDNESDAY, JULY 11, 1006.

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A. M. call to central office direct fo 4041 composing room, 4042 business office 4043 for mailing and press rooms.

Conduct which violates the affection of the heart or dictates of the conscience, however it may lead to immediate success, is a fatal error.

—Disraell.

Why Hunt & Company?

There are in Richmond some 23,000 the burden of all public rovements must fall, The Council, rethese citizens and those who benefits without paying th chabilitate the Gas Works. demanded. And what has been ione towards meeting this condition?

bree months' deliberation the n Messrs, R. W. Hunt & Comand in making this selection who voted for this choice admitted under close question ng, that they were not competent to sa so willing to spend a large sum of money To The Times-Dispatch it seems tha

contract to Messrs. R. W. Hunt & Comnd rushed blindly forward, with out completing necessary preliminaries have secured the services of a competent expert before he began, and able to give a clear-cut definite reason cil sees fit to accept Mesers, R. W. Ham & Company as the engineers to construct and supervise this work, this paper ha nothing to say in opposition, provided that the Council will make a more intelligent investigation than was made b the joint Committee on Finance and To build a gas works costing from \$500,000 to \$800,000 means that every tax-payer of Richmond will be assesse from \$20 to \$35 to carry out this work The tax-payers are really shar colders in a municipal corporation, and the Counc is really a board of directors, and i business of similar magnitude, before the ment of some twenty-five dollars per capita, they would demand of their di rectors an explicit, intelligent, unbiased and reputation of the engineers under whose direction such sums were to be expended. If the Council finds that Mesers. Hunt & Company measure up to these requirements, by all means le Messrs. Hunt & Company carry out the work; but, if not, the Council should immediately choose some expert, after a fuller investigation than that made by the joint Committee on Finance and

The Pollard resolution can hardly, by any construction, be made to mean that the Council shall not pass on the qualifications of the engineer to be chosen, for the Miner resolution adopted Monday night specially provided that Messrs. It. W. Huat & Company should be RECOM. MENDED to the Council, If, upon investigation by the Council, Messis R. W. Hunt & Company prove to be al that could be desired, it will not be the result of any personal attention on the part of the joint committee. Mr. Miner capital stock at its original valuation, and

said the reputation of Mesers. Hunt % Company was good. Searborough told him that Messrs. Hunt & Company were all right. The voted for Merers, R. W. Hunt & Company, That cort of investigation may do for cities which can tax the citizens to pay for mistakes, but it would ruln any private business on earth.

Why the South is Solid.

Secretary Taft believes that nothing that try would work greater advantage to the country at large, and to the South in particular, than the breaking up of what South." But that implies that the Republican party must rule in one or more of the Southern States, and that is a proposition which no Southern State is

The people of the South have abundant reason to be afraid of the Republican party and to distrust its leaders, even when coming with such gracious words boro speech. From its birth the Republiduring the fifty years of its existence, changed; that it is any more friendly to the white people of the Southern States. Mr. Taft rather ridicules the idea that in politics we have been governed, as he says, by sentiment, and not by more practical considerations. He adonishes us that we have not manifested, progressive spirit and the same regard for future development that we have shown in our business pursuits. In short, that we have not kept up with the times, politically speaking; that we have not arried our business into our politics that we have cherished too fondly our traditions and our sentiments, and have paid too little attention to our material interests. He intimates that we should throw our sentiments and traditions to the Wind, and go in for high tariff and

Southern Democrats are not made that way. They put principle ahead of expediency and good local government ahead of national legislation. This may not, Mr. Taft's opinion, be good politics and good business, but it is good morals

ground, and tell him that it has been good husiness for Southern Democrats government that the Republican party negro carpet-bag regime which followed econstruction, the Southern States would have been bankrupted and there would in manufacturing industries, in railroad building and in commerce. It was imany strides in progress until they had overthrown the carpet-bag government and taken possession of their own politi cal affairs, This was the first step, and the necessary step, in the material de-velopment which has since followed.

inderstand why the South continues to this, too, without considering the sentimental question, but only the business question. The South has been and is solld against Republican rule, not for sentimental reasons alone, but for selfpreservation.

A Revised Opinion.

The Evening Journal has materially revised its former article on the subject of railroad rates. It started out by say public were partners, and that if the stockholders put up a capital of \$5,000,00 the rates should be so adjusted as t yield them a reasonable profit from the year net. In its revised article, the Journal says that the stockholder "is, or ment in bonds. If such a road should fall to pay dividends for a time, or at any time, proper dividends should nevertheless be credited to the stock and prid when the income permitted, just as the interest on the bonded indebtedness would be paid; or better still, the dividends should be paid in stock when there was no proper explished. And so also was no money available. And so als when the stockholders applied their divi when the stockholders applied their divi-dends to the improvement and betterment of the road, the amount of these divi-dends should be paid them in stock. In both cases they, in effect, contribute just so much more actual capital to the en-terprise. Such an increase of capital stock would be perfectly just."

This is a concession which The Times Dispatch had not expected. The Evening Journal's plan is somewhat vague and visionary, for stockholders and bondholders are not in the same class. A bond s a mortgage on the property and car ries a stated interest charge. When the interest is in default the bondholders may institute foreclosure proceedings and se the property for their debt. But stock is a mere evidence of ownership in the the property, and it is not usual, we believe, to guarantee dividends except or preferred stock, in which case the rate is limited. It is also unusual, and it is not considered good business, for a rail read corporation to declare, dividends which have not been earned. But the Evening Journal concedes everything and departs radically from its original contention when it says that the carnings of the road which are used for improving the property should be accounted as so much new capital, that the stock should be increased accordingly and the increase turned over to the stock adders That is the plan which some railroads adopt. Instead of increasing the rate of dividend as the earnings grow, they increase the capital stock and pay the stockholders in scrip dividends. That point conceded, the rallroads could ask

no more. But what difference does it

make whether a railroad remunerates its stockholders in this way or leaves the

saying goes, it is as broad as it is long. The stockholder in either event gets the benefit of the increased earning capacity of the road, and that is all he can rea sonably ask for.

But there is one other point upon which our contemporary is still more or less It continues to speak of the "partnership" existing between the railroads and the people and contends that the "silent partners" (the people) are entitled to their proportion of the increased carnings. But, in point of fact, the silent partners do participate—in Virginia. To say nothing of the general benefits of railroad facilities, the State imposes the usual tax upon the physical property of her railroads and in addition taxes for its own use one per cent, of the gross carnings from year to year. The rail roads may pay nothing to their stockholders, but the State's dividends are always forthcoming and increase as the

Cold Shoulder to Wayward Girls.

A pathetic story was related in The Times-Dispatch of vesterday, concerning to the Police Court on the charge of vagrancy. This girl is said to be incorrigible, and her, father asked Justice Crutchfield to take some steps to reform her. But we are told that was powerless, and there was no alternative but to send her to fall." She was placed under security in the sum of

\$100 for six months. Virginia that there is no public institution for the care and reformation of wayward girls. Time and again, Tho munications from correspondents, asking what to do with girls of this charbut no satisfactory reply could be made. The State provides reformabut the wayward girls must shift for themselves. It is a condition that we, as an enlightened people, cannot permit to

It is known of all men that Harry Thaw shot down Stanford White without the shadow of a legal justification. What grievances of another sort he may have and is not so well known, and they are not material to a fair trial of his

But the Thaws have millions to try to save Harry. These efforts early took the form of holding up Stanford White as an awful example of a bad man. Hired liars eagerly rushed into print to blacken his character. The Courier-Journal has no brief to defend him. He may have been a bad man, in spite of the fact that his numerous friends the other than the numerous friends.

ment's warning, and is not here to deat least be charitable enough to abstain from denunciation until the evidence proand con has been heard in court. That is the course The Times-Dispatch has

parts of the country have already com-William Jennings Bryan in 1908, This they have done without knowing what the issues of that campaign will be. But Mr. Bryan has already made one issue. for the government to control the rail-The Republican party is already committed to that policy. cratic forces? Will he come out flat

gratifying to all friends of popular eduassured. Now let the preliminaries be gotten through with in all haste, that

is, as has doubtless been inferred, a colored man. Or, for the joke, call him a parti-colored man.

Mr. Roosevelt is also to go to the Panama Canal, We do hope and trust that the secret service men will see to it that

The fact that we hear nothing of the Czar's tennis nowadays suggests the horrible thought that he may have taken

Upton Sinclair is to run on the Socialist ticket. Simultaneously, most of the rest of us will be walking all over it.

It is to be hoped that that fertilizer inquiry is not to be conducted behind

Those Bryan cheers were not just the sort of nourishment a young Taft boom

Still, whenever Mr. Bryan runs, voluntably becomes the runner-up.

What with the heat and all, Mr. Bryan's ears must burn quite some Automobilists should be required also

to carry parachutes. Pleasant weather for July maids. Also

Still, Evelyn Nesbit might have Thawt

Opening the Bids-the servant girls

Woodward & Son,

Lumber 'ellow Pine, White Pine, Hardwoods an Mahogany,

Sash, Blinds, Doors AND OTHER MILL WORK, Foot Ninth St., Hichmond, Va.

A Constant Reader's Prayer.

A Constant Reader's Prayers

Is my habit quite diurnal

And observe the leading featur
To peruse the morning journal,
of the news,
And I do it, in a measure,
With extraordinary pleasure—
Which of late it's been a painful thing.

to lose.
For to-day I'm fairly sickened
At the way the cuts have thickened
Round a certain recent killing and its
cause—
All my simple joy is blunted
When I find myself confronted
With a half o' mile o' pictures of the
Thaws.

Thaws.

[There's Josiah Thaw and Harry Thaw

[There's Josiah Thaw and Harry Thaw.
And she who wished to marry Thaw.
And all of their relations and their relatives and kin.
And Yarmouth, noble brother'n-law.
And grandpapa and inother'n-law.
And many more connections who have shared the Pittsburg tin.]

Through all the daily papers
They are outling stupid capers,
And protruding all the features of the
Thaws:
Though we never have enjoyed them,
It appears we can't avoid them,
And I'd like to know, in mercy, what's
the cause?

the cause? Why should friends of Harry's cousins, Say, thus greet us by the dozens, When we rather wouldn't meet 'em

my laws! ny dreams I squirm and shudder ml arouse me sicopin' brudder
With the scream; "O, there's another
page o' Thaws!"

[O, I'm sick o' acoing Harry Thaw And her who wished to marry Thaw And all their blooming relatives and

genealogy.
O. lady, come and Vogner me

l every physiognomy arry's million kinfolk has been Of Harry's million kinfolk musicked out of me.]

Merely Joking.

said Mr. Staylate, "there are some thing; that go without saying—" "Yes, and vice versa," interrupted Miss Pationce Conne with a yawn.—Philadelphia Press.

with a yawn.—Philacelphia Press.

Why He Nodded.—"Did the editor approve of your poem?" "Well, when I read it to him he nodded." "Indeed? And what did he say when you had finished?" "Oh, he, was asleep then."—Philadelphia Ledger.

Philadelphia Ledger.

The Thing for Him.—"Now," said the prison visitor, "don't you think it would be helpful to you to take some good motte and try to live up to it?" "Maybe," replied the life convict. "Now, I'd like to select, for instance: 'We are here to-day and gone to-morrow."—Philadelphia Press.

Encore .- 'Well," asked the host, "wha think of that wine?' do you think of that wine? "Well,"
replied his guest, smacking his lips as
he laid down his glass, "it reminds me
of a good story," "Go ahead; let's have
it." "Oh, you misunderstand me. I
merely wish to imply that it's worth repeating."—Catholic Standard and Times.

Who Should, Write our Stories.

The love story—Twain.

Who Should, Write our Stories.
The love story—Twain.
The English story—London.
The tearful story—Paine.
The creditor's story—Hope.
The baby story—Howells.
The newlywed story—Batcheller.
The young bud story—Flower.
The sarcastic story—Cutting.—Life.

Danville's Appreciation.

Without entering into the merits of the contention, we feel that the citizens of Danville are under lasting obligations to the Eichmond Times-Dispatch for sending as a special correspondent Mr. Frank S. Woodson, one of its associate editors, to our city to write a defensive article in behalf of the business interests of Dan-ville. Mr. Woodson has known the city from its infancy; he knew how, and did his work well. For this service he has his work well. For this service he has strengthened the links in the chein which pinds him so strongly to the people of his section. The Times-Dispatch stands

A man named Green, who was originally pink, is now turning white. He is, as has doubtless been information.

Boisterous Scenes Among Republican Delegates to State Convention at Greensboro.

Convention at Greensboro.

(Special to The Times-Dispatch.)

GREENSBORO, N. C., July 10.—The State Republican Convention here to-day was one of the largest attended in the history of the party, made so by the factional fight existing between Congressman Blackburn and the party organization over a distribution of Federal offices. A bitter campaign has been waged for the chairmanship of the State Exceutive Committee, which dispenses patronage. Blackburn has been waging war on Chairman Rollins for a year, until Hollins resigned for harmony a month ago, and ex-Judge Adams, of Greensboro, was elected chairman until the convention. Blackburn then began a war on Adams himself as a candidate for the chairmanship. Nothing else attracted the large crowd here but this struggle for the management of the coming campaign funds and the dispensing of the little patronage left undisposed of.

After a hot convention, lusting from 12 o'clock until 8 o'clock to-night, over this matter alone, Chairman Adams was re-elected by a hundred majority. Several times during the session efforts were made by Blackburn forces to create a stampede for him, but it was checkmated. There was never known a more holsterout and unmanageable set of delegates assembled in the State, but there was never known a more holsterout and unmanageable set of delegates assembled in the State, but there was never known a more holsterout and unmanageable set of delegates assembled in the State, but there was never known a more holsterout and unmanageable set of delegates assembled in the State, but there was never known a more holsterout and unmanageable set of delegates assembled in the State, but there was never known a more holsterout and unmanageable set of delegates assembled in the State, but there was never known a more holsterout and unmanageable set of delegates assembled in the State, but there was never known a more holsterout and unmanageable set of delegates assembled in the State, but there was never known a more holsterout and unmanageable set of de

Both Confess Guilt.

(Special to The Times-Dispatch.)
SPENCER, N. C., July 10.—J. T. Gilles, of Aberdeen, and B. C. Putman, of Shelby, both well-known young men in this place, were arrested here and jailed this afternoon on the charge of car robbery. Tad young men were caught red-handed robbing a train upon which they were braking, a large quantity of stolen goods being recovered by the officers making the arrest. Both men confessed their guilt before going to jail.

Rhymes for To-Day STATE FARMERS IN CONVENTION |

Governor Glenn Delivers Address of Welcome to Tillers of the Soil.

FEATURES OF THE SESSION

Four Hundred Farmers and Their Wives Are Assembled at

Raleigh.

(Special to The Times-Dispatch.)

RALEIGH, N. C., July 10.—The third annual session of the North Carolina State Fermors' Convention was called to order at noon to-day for a meeting extending through three days. The opening address was by Commissioner of Agriculture S. L. Patterson, who congratulated the farmors on the progress being made in the agricultural interests of the State, and the necessity for closer co-operation and the employment of the most improved methods of farming.

Governor R. B. Glenn delivated the address of welcome, and in that connection dwelt on the necessity of the most improved methods, both in machingry and the treatment of the soils. He appealed for co-operation in his offerts to attract desirable immigrants to this State, especially farm labor, with a view to re-

ecially farm labor, with a view to re-eving the handleap the farmers in many ections are under for want of adequate

sections are under for want of accidentations are under for want of the Farmers Association, who arrived from Churlotte this morning, responded to the address by the Governor, and assured him of the hearty-sympathy of the farmers in the efforts of the Governor not only as to implication, but in all the other efforts he is making for the industrial development of the State.

The principal feature of the session this afternoon was the address by Secretary of State J. Bryan Grimes, on "Year's Progress in Agriculture," showing the wonderful strides that have been made in that time.

ing the wonderful struct that the made in that time.

There were a number of addresses on technical farming topics.

There are already over four hundred farmers and their wives here for the convention, which is devoted purely to study and lectures on farming methods.

UNITED SYNOD MEETS.

Large Party of Distinguished Ministers in Charlotte. .

(Special to The Times-Dispatch.)
CHARLOTTE. N. C., July 10.—The
United Synod, which is composed of
eighty-eight members and an equal number of clergy and lay delegates, met today in the Daling Lutheran Church, Caston county, of which the Rev. W. A.
Deaton is pastor. The Synod will continue in session during the remainder of
the week and will have for its principal
business the discussion of home and foreign missions. To-morrow a special missionary programme has been arranged.

business the discussion of nome and 101-eign missions. To-morrow a special missionary programme has been arranged, at which a number of distinguished ministers will speak.

Among the visitors who are expected to be present are Rev. C. L. Brown, senior missionary of the church in Japan; Dr. H. B. Jacobs, of Philadelphia, and Dr. Edwin T. Hoen, of Reading, Pa. Tre officers of the Synod are Rev. R. A. Yoder, of Lincoliton, president; Rev. A. G. Volght, D. D., of Charleston, S. C. vice-president; Rev. S. T. Hallman, of Greenville, S. C., secretary, and Hon. C. H. Duls, of Charlotte, treasurer.

The Synod representes the eight synods of the South, with a membership of sixty thousand communicants. This will be the tenth convention of the United Synod, and there will be representatives of other denominations, both North and South, present.

NEW Y. M. C. A.

Local Association Moves Into Fine Brick Building.

(Special to The Times-Dispatch.) SPENCER, N. C., July 10.—The Spencer Young Men's Christian Association to-day moved into its handsome new brick building which has bein in course of erection for the past year, and which was completed at a cost of nearly \$30,000. was completed at a cost of nearly so, ow.
The building was thrown open to the
public to-night for inspection, and large
numbers of people visited the institution
thon and admired the splendid home of
the association, which is the pride of

Spencer.

The Southern Railway Company contributed \$15,000 and a site worth about \$10,000 and the remainder of the money is being raised by the people of Spence. and Salisbury, parriag a number of con-tributions received from prominent men in Charlotte, Richinond, Washington, New York and other cities. The build-ing, which is greatly needed in Spencer, is one of the vory best in the country. Mr. S. L. Thomas, secretary of the Rich-Mr. S. L. Thomas, secretary of the liter-mond Railroad Association, is now in Spencer assisting the local management in a thorough canvass for funds with which to furnish the new structure. After the necessary money has been raised, a formal opening will be arranged, when it is epected that some of the leading men of the State and country will be present.

IAIL DELIVERY.

Four Men and One Boy Escape in North Carolina.

in North Carolina.

(Special to The Times-Dispatch.)

SUFFOLK, VA., July 10.—In a sall delivery to-day in Edenton, a town of 3,000 persons, in Chowan county, N. C. four men and one boy escaped. The prison was being renovated at the time, and the prisoners got away before being missed. The Edenton authorities and a posse went in pursuit, but up to to-night the fugitives had not been captured. A telegram from Sheriff E. S. Norman, received here at 7:30 this evening, says the delivery was an needent. Blood houne's were put on the trail of the missing men to-night. The escaped prisoners went in different directions.

WILL BE TRIED IN TENNESSEE

(Continued from First Page.)

government is to corral all of the indicted parties in the Middle District of Tennessee, where the indictments were found, and that it is or was the purpose of the Attorney-General to institute proceedings of this character in every district of every State in which indicted parties reside. This effort in Richmond is the first move along this line, and the decision in the case is expected to be a precedent, not only in the matter of the indictment of men and companies engaged in the fertilizer business, but in all manner of combines and combinations in restraint of

The Montague Mfg. Company High GRADE MILL WORK, Sash, Blinds, Doors, Frames.

X COUPON X **WORTH 100 VOTES**

in the fourth annual Outing Tour Contest will be published Monday, July 16, 1906. Special orders from individuals and extra orders from newsdealers must reach the Times-Dispatch Circulation Department before noon, July 14th

Company, for instance.

Many Lawyers Present.

The indicted men and the indicted companies seemed to have fully realized the importance of this move on the part of the government, and they assembled here a numerous array of legal talent. a numerous array of legal talent.

Among the lawyers taking a deep interest in the case were the following:
J. J. Vertress, Nashville; J. C. Bradford, Nashville; Judge John S. Miller, Chicago; James P. Helm, Louisville; Marcellus Green, Jackson, Miss.; W. H. Fleming, Augusta, Ga.; Major A. T. Smythe, Charleston, S. C.; L. Oudlin, New York; C. J. Collins, Norfolk; T. L. Williams, Norfolk; C. G. Wilson, Atlenta, who represented the various defendants.

The government was represented by Mr. Edward T. Sanford, of Knoxvil special assistant to the Attorney-Gener of the United States, and Mr. Harwo-Graves, of the Department of Justice Washington. The last named was preent as consulting counsel.

One Warrant Issued.

One Warrant Issued.

The defendants appearing in court yesterday were S. T. Morgan, president of the Virginia-Carolina Chemical Company; Fortescue Whittie, vice-president of the same concern, and J. Rice Smith, of the sales department of the Virginia-Carolina Chemical Company; Messrs. F. S. Royster and Charles F. Burroughs, of the Royster Fertilizer Company, Norfolk, and Mr. J. G. Tinsley, vice-president of the Tennessee Chemical Company, a branch of the Virginia-Carolina Company, Mr. Tinsley's condern operates in another State, but as he has his residence here, he is subject to the jurisdiction of Judge Waddill's court.

It was agreed at the opening of the court at 11 o'clock that one warrant was sufficient to be issued to bring the case squarely before the court, and that was issued against James B. Tinsley, who, with all the other defendants, was already in court.

The Heavy Docket

The Heavy Docket,

The Heavy Docket.

The warrant upon which Mr. Tinsley was "arrested" rends as follows:
United States of America.
Eastern District of Virginia.—Sct;
To the Marshall of the Eastern District of Virginia, Greeting:
Whoreas complaint in writing, on oath, has been made to me, charging that James G. Tinsley, of Richmond, Va., stands indicted by the grand jury of the Circuit Court of the said United States in and for the Middle District of Tennessee, for that the said James G. Tinsley on the 8th day of July, in the year 1903, and during the period of time from that dath until and on the first day of September, in the year 1905, did in the Middle District of Tennessee, unlawfully engage in a conspiracy in restraint of trade and commerce among the several States of the United States in violation of section one of the Act of Congress approved July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies," and for that on said 8th day of July, 1903, at and within the county of Davidson, in the said Middle District of Tennessee, in violation of the provision of Section 540 of the Hevised Statutes of the United States, the said James G. Tinsley did unlawfully conspire with divers other persons and corporations to commit an offense against the United States, towit; the offense of engaging in a combination in restraint of trade and commerce among the several States of the United States; and application the United States; and application the United States of the United St bination in restraint of trade date con-merce among the several States of the United States; and application has been made to me that the said James G. Tinsley may be arrested and imprisoned and removed or ball-ed, as the case may be for trial be-fore the said Circuit Court of the United States for the Middle District of Tennessee:

of Tennessee:

United States for the Middle District
of Tennessee:
Now, therefore, you are hereby commanded to arrest the said James G.
Tinsley, if he be found within your
said District, and bring him forthwith before me at my chambers in
Richmond, in order that he may be
dealt with according to law.
(Signed) EDMUND WADDILL,
U. S. District Judge.
On the back of the warrant the marshal wrote the fact that he had duly
served it. The perfunctory proceedings
having been completed and explanations
having been entered into by Judge
Lewis and Mr. Sanford, and Mr. Vertress,
for the defense, having explained that it
was not his purpose to contest the case
on its incrits, but only on the question
of jurisdiction, the case was opened.

The Issue Joined.

The Issue Joined.

Mr. Sanford explained the nature of the indictment returned by the Federal grand jury in Tennessee, and formally asked that the removal orders be entored. He said a true bill had been found against thirty-one corporations and twenty-five individuals. behalf of the defendants, Mr. Ver-

Individuals.

On behalf of the defendants, Mr. Vertees announced that his eliests were in court to fight the application for the removal warrants. He said that the defense-first of all not sullty; second, several of the counts in the indictment charge no offense whatsoever. For example, they specify the crime of 'conspiring' Third, the indictiment on the face of it charges no offense, and thus the summer on the face of it charges no offense. He proposed to introduce witnesses to show that no offense had been committed in Tennessee or elsewhere. Mr. Sanford objected to the introduction of testimony contending that the indictment, a certified copy of which he exhibited, was conclusive evidence of probable guilt, and could not be inquired into in this proceeding. The only question at issue, he contended, is whether this indictment charges an offense against the United States in the iterisdiction of the court in which the defendants have been indicted, and, that being the only question, no testimony was admissible.

On this issue the argument was opened.

The Government's Side.

The Government's Side. Judge Lewis, who opened up for the covernment, spoke at considerable length a support of the motion for the removal warrants. He declared that the decidents were entitled to no preliminary

examination in this city, as the indict-ment is conclusive evidence as to the question of probable cause, and no man could say that the constitutional rights of the accused were infringed. One inquiry is sufficient under the Constitution. The grand jury has spent weeks in hearing the evidence, and had examined 117 wit-nesses. As a result of the inquiry. the evidence, and had examined 117 witnesses. As a result of its inquiry, a considerable number of corporations and many persons had been indicted and the defendants now reside in eight States. Judge Lewis quoted a number of authorities and cited many adjudicated cases. He went over and discussed sundry extradition laws and cited decisions of the higher courts bearing on some of them.

Contention of Defense.

Mr. Vertress who was the only speaker for the defense, repused to Judge Lewis. In part he said: "This is not a case of extradition. It is not to be likened to extradition. It is not to be likened to extradition. It arises under the peculiar statutes of the United States because of the expanse of the country. It is important to decide whether a man shall be taken from New York to Ffordafrom Virginia to Tennessee.

The question which your honor has—the question which the statute has made—is an important one. It has converted this question of removal isto a judicial quostion. If what Judge Lewis says is true—that when one grand jury has found an indictment, there ought not to be two inquiries—it is quite reasonable to insist that it is a purely ministerial thing. But that isn't the view that the Congress has taken of this matter. That isn't the view expressed in the statute or expressed by the Supreme Court of the United States, and with all deference I think the Supreme Court has passed upon this question and decided it as we insist. A judicial rather than a ministerial act is involved so that reasonable protection may be given to the individual."

Mr. Sunford repiled at some length. He

to probable cause.

In all the argument only one question was discussed, and that question, relieved of legal phraseology, was simply this: Is an indictment found in another jurisdiction sufficient evidence of the probable guilt of the person or persons indicted?

At the conclusion of Mr. Sandford's argument the court took a recess until 4:30 o'clock, having intimated that a decision on the above question would be announced at that hour.

Judge Waddill's Decision.

Judge Waddill's Decision.

Promptly at 4:30 in the afternoon Judge Waddill took his seat and at once an-nounced his decision in the following

Lawyers Confer.

Lawyers Confer.

Immediately upon the rendering of the decision Mr. Sandford asked that the court fix the ball of the indicted parties and issue warrants for the arrest of the other seven. The coterie of lawyers for the defense asked for time for consultation. After consultation it was agreed that the court shall meet at 11 o'clock this morning to make up the record, and in the meantime warrants were issued for S. T. Morgan. Fortescue Whittle, Frank E. Wilcox, Frank S. Royster, J. Rice Smith. Frank S. Dancey and Charles F. E. Wilcox, Frank S. Royster, J. Rice Smith, Frank B. Dancey and Charles F. Burroughs, and the same were placed in the hands of United States Marshal Morgan Treat for execution. It is understood, however, that all of the men will be in court this morning to accept service of the warrants, and the marshal's work will be quite easy.

The Next Move,

The Next Move.

The government's attorneys will, of course, press the motion that the defendants be required to give satisfactory ball or be removed to the Middle District of Tennessee for trial, and doubtless the motion will prevail and the necessary ball bonds will be given.

In the meantime lawyers for the defense will have the record perfected according to their notion, with the view of taking the cases to the Supreme Court of the United States, and thus the

Boars the Start House Bugger of Charlet Blutching